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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,042	06/24/2003	John B. Harrison	21065.00	9517

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EXAMINER

WOOD, KIMBERLY T

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

KB

Office Action Summary	Application No.	Applicant(s)
	10/602,042	HARRISON, JOHN B.
	Examiner	Art Unit
	Kimberly T. Wood	3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 June 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/24/03</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

This is an office action for serial number 10/602,042.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Hardy 3,693,996. Hardy discloses a first inverted U-shaped bar (12), a second inverted U-shaped bar (10) with turned up ends (42), and two folding support hinges (14), the folding support hinges can be folded up to bring the second inverted U-shaped bar into a folded position.

Claims 1, 2, and 3 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over the turned up ends (figure 2). Morse (figure 1) discloses a first inverted U-shaped bar (4, 5, and transverse bar near 6), a second inverted U-shaped bar (2, 3) with turned up ends (10, see figure 2 where both ends are turned up), and two folding support hinges (7), the folding support hinges can

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be folded up to bring the second inverted U-shaped bar into a generally planar position.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Bolis 4,072,209. Bolis disclose a first inverted U-shaped bar (20), a second inverted U-shaped bar (10) with turned up ends (18) and two folding support hinges (30 and 31).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5, 7, and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Morse in view of Pirchio 5,375,497. Morse discloses all of the limitations of the claimed invention except for the cushioned coating. Pirchio teaches that it is known to provide a cushioned coating to an upper portion and a lower portion (near 64 and 66 and 56). It would have been obvious to one having ordinary skill in the art at the time of the

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invention to have modified Morse to have included a cushion coating as taught by Pirchio to the upper, lower and middle portions of the respective first and second U-shaped bars for the purpose of preventing damage to the supported items (A) as they are received along the first U-shaped bar (4 and 5) and preventing damage to the supporting surface when providing coating to the second U-shaped bar.

Claims 5, 7, and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Hardy in view of Pirchio 5,375,497. Hardy discloses all of the limitations of the claimed invention except for the cushioned coating. Pirchio teaches that it is known to provide a cushioned coating to an upper portion and a lower portion (near 64 and 66 and 56). It would have been obvious to one having ordinary skill in the art at the time of the invention to have modified Morse to have included a cushion coating as taught by Pirchio to the upper, lower and middle portions of the respective first and second U-shaped bars for the purpose of preventing damage to the supported items as they are received along the first U-shaped bar and preventing damage to the supporting surface when providing coating to the second U-shaped bar.

Claims 1-4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalbo 4,483,505 in view of Bolis

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4,072,209, as discussed above. Dalbo discloses a first inverted U-shaped bar (11), a second inverted U-shaped bar (10) and two support hinges (19). Bolis disclose a first inverted U-shaped bar (20), a generally second inverted U-shaped bar (10) with turned up ends (18) and two folding support hinges (30 and 31). It would have been obvious to one having ordinary skill in the art to have modified Dalbo to have include the turned up ends and the two folding support hinges at taught by Bolis for the purpose of providing a better means an extended means of supporting a card or sheet and for providing a better means of locking the stand in its extended position.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art discloses conventional collapsible stands.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Wood whose telephone number is (703) 308-0539. The examiner can normally be reached on Monday-Thursday from 7:30 AM to 5:00 PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168. The fax number for an

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Official Amendment or Response is (703) 872-9306. The fax number for an Unofficial Amendment or Response is (703) 308-3686.



Kimberly Wood
Primary Examiner
June 25, 2004